

ADAM WANG, Bar No. 201233  
LAW OFFICES OF ADAM WANG  
12 South First Street, Suite 613  
SAN JOSE, CA 95113  
Tel: (408) 292-1040  
Fax: (408) 416-0248

Attorneys for Plaintiffs

BING RUI (SBN 203521)  
U.S.-CHINA LAW GROUP  
3031 TISCH WAY, SUITE 500  
San Jose, California 95128

Attorney for Defendants

UNITED STATES DISTRICT COURT  
FOR NORTHERN DISTRICT OF CALIFORNIA

JIE YU, ET AL

Plaintiffs,

vs.

SOUTHLAND TASTE RESTAURANT  
INCORPORATED, ET AL.

Defendants

Case No.: C07-2274 PVT

AMENDED STIPULATION TO DISMISS  
WITH PREJUDICE & ORDER THEREON

Plaintiffs, Jie Yu and Min Wang, and Defendants, Southland Taste Restaurant  
Incorporated, Ching Tung Chen, Chin Shih Yang Chen, I Chen Chen, Southland Flavor Cafe,  
Zhi Yu Deng, through their respective counsel, hereby stipulate as follows:

1. Plaintiffs filed a complaint seeking, among other things, unpaid overtime under  
Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“FLSA”).

2. Parties reached a settlement that resolves all claims of Plaintiffs, requiring  
Plaintiffs to dismiss this case with prejudice.

3. On September 18, 2008, Parties filed a stipulation to dismiss this case with  
prejudice.

4. On October 10, 2008, this Court denied the Stipulation to Dismiss, on the ground that FLSA mandates award of attorney's fees for FLSA claims when an order to dismiss the action is required. As such, the Court ordered parties to show cause why parties failed to stipulate to dismiss under FED. R. CIV. PRO. 41(a) which does not involve an order to dismiss.

5. By this Amended Stipulation, parties hereby clarify that the parties meant to stipulate to dismiss under FED. R. CIV. PRO. 41 (a) without a Court order; and respectfully so stipulate.

RESPECTFULLY SUBMITTED,

Dated: November 15, 2008

By: /s/ ADAM WANG  
Adam Wang  
Attorney for Plaintiffs

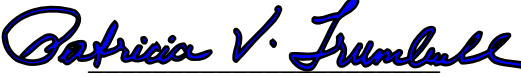
Dated: November 15, 2008

By: /s/ Bing Rui  
BING RUI  
Attorney for Defendants

XXXXXXXXXXXX ORDER

Pursuant to party's stipulation, IT IS HEREBY ORDERED that the Clerk should close this case. The Order to Show Cause dated October 10, 2008 is hereby dissolved.

Dated: November 17, 2008

  
Patricia V. Trumbull  
United States Magistrate Judge